

Application Serial No.: 10/591,839
Amendment Filed: April 8, 2010

REMARKS

Claims 1, 2, 5, 6, 8 and 9 have been amended. All of the amendments are fully supported by the original disclosure of this application in at least the original claims, drawing figures and paragraphs 0008-154 of U.S. Publication No. 2007/0184901 (the original disclosure published by the U.S. Patent and Trademark Office). No new matter has been introduced.

Claims 1-10 remain pending upon entry of the amendments, with claims 1 and 5 being independent.

Rejection of claims 1-10 under 35 U.S.C. § 112, second paragraph, as being indefinite

Claims 1, 2, 5, 6, 8 and 9 have been amended to place claims 1-10 in full compliance with all of the requirements of 35 U.S.C. § 112, second paragraph. Withdrawal of this rejection is requested.

Rejection of claims 1-10 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,575,474 (hereinafter, Rossides) in view of U.S. Patent No. 5,573,244 (hereinafter, Mindes)

Applicants respectfully traverse this rejection.

With regard to independent claims 1 and 5, the Examiner alledged that Rossides discloses all of the elements of the claims, except for subtracting a fee from the payout amount, and cited Mindes as disclosing such a feature.

Claim 1 recites, in part, the following:

... an application support step of providing information to customers authenticated at the authentication step to assist in making predictions of a result of a certain event and applying to purchase media, which can each be redeemed for a certain amount when the predictions of the result of the certain event are correct, at amounts determined by the customers, *the customers being informed of determined return rates before making the predictions*; ...[Emphasis added].

Claim 5 recites, in part, the following:

... a betting support step of providing information to customers authenticated at the authentication step to assist in making predictions of a result of a certain event, determining payouts, which can be received when the predictions of the result of the certain event are correct, *and making bets after being informed of determined return rates*;... [Emphasis added].

In an exemplary embodiment of the present application, the user is provided with information via an application support step or a betting support step before placing a bet. In other words, the user is informed of a determined return rate before placing a bet. In contrast, in Rossides or Mindes, a return rate is assessed only after all of the bets have been made or summed up.

Rossides as modified by Mindes, in the manner suggested, does not teach, disclose, suggest or predict all of the claimed elements of independent claims 1 or 5. Hence, withdrawal of the rejection of claims 1 and 5 is requested, as well as withdrawal of the rejection of claims 2-4 and 6-10 that depend from claims 1 or 5.

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Conclusion

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

The Commissioner is authorized to charge any fees or credit any overpayments which may be incurred in connection with this paper to Deposit Account No. 18-2220.

Respectfully submitted,

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